

HEATHER E. WILLIAMS, CA Bar #122664  
Federal Defender  
ERIN SNIDER, CA Bar #304781  
Assistant Federal Defender  
Office of the Federal Defender  
2300 Tulare Street, Suite 330  
Fresno, CA 93721-2226  
Telephone: (559) 487-5561  
Fax: (559) 487-5950

Attorneys for Defendant  
APRYL WESTON

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MAKIAH MILES and APRYL  
WESTON,

Defendants.

Case No. 1:22-cr-00129-DAD-BAM

**STIPULATION TO CONTINUE STATUS  
CONFERENCE; AND ORDER**

Date: December 14, 2022

Time: 1:00 p.m.

Judge: Hon. Barbara A. McAuliffe

IT IS HEREBY STIPULATED by and between the parties through their respective counsel, Assistant United States Attorney Joseph Barton, counsel for plaintiff, James Raymond Homola, counsel for Makiah Miles, and Assistant Federal Defender Erin Snider, counsel for Apryl Weston, that the Court may continue the status conference currently scheduled for August 24, 2022, at 1:00 p.m. to December 14, 2022, at 1:00 p.m.

The parties agree and request that the Court make the following findings:

1. By previous order, this matter was set for a status conference on August 24, 2022, at 1:00 p.m.
2. The government has provided 3,449 Bates-marked pages of discovery in this matter.
3. Counsel for Ms. Miles and counsel for Ms. Weston require additional time to review discovery, consult with their clients regarding their options, and conduct necessary

1 investigation.

2 5. Counsel for Ms. Miles and counsel for Ms. Weston believes that failure to grant  
3 the above-requested continuance would deny them the reasonable time necessary for effective  
4 preparation, taking into account the exercise of due diligence.

5 6. The government does not object to the continuance.

6 7. Based on the above-stated findings, the ends of justice served by continuing the  
7 case as requested outweigh the interest of the public and the defendant in a trial within the  
8 original date prescribed by the Speedy Trial Act.

9 8. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
10 *et seq.*, within which trial must commence, the time period of August 24, 2022, to December 14,  
11 2022, inclusive, is excludable pursuant to 18 U.S. C. § 3161(h)(7)(A) and (B)(iv).

12 **IT IS SO STIPULATED.**

13 Respectfully submitted,

14  
15 PHILLIP A. TALBERT  
United States Attorney

16 Date: August 17, 2022

/s/ Joseph Barton

17 JOSEPH BARTON  
Assistant United States Attorney  
18 Attorney for Plaintiff

19 Date: August 17, 2022

/s/ James Raymond Homola

20 JAMES RAYMOND HOMOLA  
Attorney for Defendant  
21 MAKIAH MILES

22 HEATHER E. WILLIAMS  
23 Federal Defender

24 Date: August 17, 2022

/s/ Erin Snider

25 ERIN SNIDER  
Assistant Federal Defender  
26 Attorney for Defendant  
27 APRYL WESTON  
28

**ORDER**

**IT IS SO ORDERED.** The status conference currently scheduled for August 24, 2022, at 1:00 p.m. is hereby continued to **December 14, 2022, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe.** The time period of August 24, 2022, to December 14, 2022, inclusive, is excludable pursuant to 18 U.S. C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

Dated: August 17, 2022

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE